

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MAURICE BARNETT, *et al.*,
Plaintiffs,
v.
UNKNOWN,
Defendant.

Case No. 2:22-cv-00256-JDP (PC)

FINDINGS AND RECOMMENDATIONS
THAT THE CLERK OF COURT BE
DIRECTED TO CLOSE THE CASE

OBJECTIONS DUE WITHIN FOURTEEN
DAYS

Maurice Barnett and Marquise Hiley are state prisoners without counsel. This action was opened when they submitted to the court a letter describing an altercation they had with correctional officers. On April 13, 2022, the court notified them that they had not properly commenced a civil action because they had neither filed a complaint nor paid the required filing fee. They were granted thirty days both to file a complaint and either to pay the filing fee or to submit an application to proceed *in forma pauperis*. ECF No. 15. They were also warned that failure to comply with the April 13 order could result in the case being closed.

To date, Mr. Barnett and Mr. Hiley have neither filed a signed complaint nor submitted either the filing fee or an application to proceed *in forma pauperis*. Consequently, there is no case before the court. Fed. R. Civ. P. 3.

1 Accordingly, it is hereby ORDERED that the Clerk of Court randomly assign a United
2 States District Judge to this case.

3 Further, it is RECOMMENDED that this case be closed for failure to file a complaint and
4 failure to pay the filing fee.

5 I submit these findings and recommendations to the district judge under 28 U.S.C.
6 § 636(b)(1)(B) and Rule 304 of the Local Rules of Practice for the United States District Court,
7 Eastern District of California. The parties may, within 14 days of the service of the findings and
8 recommendations, file written objections to the findings and recommendations with the court.
9 Such objections should be captioned "Objections to Magistrate Judge's Findings and
10 Recommendations." The district judge will review the findings and recommendations under 28
11 U.S.C. § 636(b)(1)(C).

12
13 IT IS SO ORDERED.

14 Dated: June 1, 2022



JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE